

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

MARCELLOUS L. WALKER, ERIC HENDRICKSON,  
DANIEL ARENDS, FREDERICK LEE PHARM,  
SHERMELL TABOR, EDWIN JONES,  
BRANDEN SUSTMAN and JOSHUA ROGERS,

ORDER

Plaintiffs,

07-C-675-bbc

v.

KEVIN R. HAYDEN, DHFS Secretary; and  
STEVE WATTERS, SRSTC Director,

Defendants.

---

Plaintiffs have moved for a preliminary injunction on each of their many claims involving their conditions of confinement at the Sand Ridge Secure Treatment Center. In response, defendants have moved for an extension of time to respond to plaintiffs' motion. The motion is GRANTED in part. In support of their motion, defendants say that they are preparing a motion to dismiss for failure to state a claim upon which relief may be granted. Because that motion could resolve many of the issues raised in plaintiffs' motion, it makes sense to consider defendants' motion first. However, defendants do not say in their motion when they intend to file a motion to dismiss, only that their answer is due March 31, 2008.

Accordingly, defendants may have until March 31, 2008, to file a motion to dismiss or a response to plaintiffs' motion for a preliminary injunction. If defendants file a motion to dismiss on or before March 31, I will stay briefing on plaintiffs' motion until the motion to dismiss is resolved. Plaintiffs' motions for default judgment (dkt. #44) and to "order a responsive pleading" (dkt. #49) are DENIED.

Entered this 21<sup>st</sup> day of March, 2008.

BY THE COURT:

/s/

---

BARBARA B. CRABB  
District Judge